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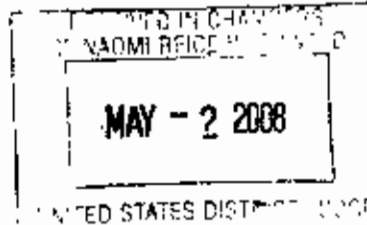
May 1, 2008

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By Hand Delivery

Hon. Naomi Reice Buchwald
United States District Court
500 Pearl Street
New York, New York 10007-1312

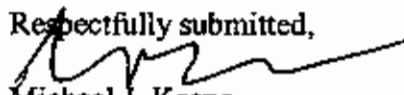


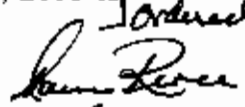
Re: Choice Scott v. Brian Fischer; Glenn Goord, et al. (07 CV 11303) (NRB)

Dear Judge Buchwald:

This Office represents defendants - employees or former employees of the Department of Correctional Services ("DOCS") in the above action. The New York State Court of Appeals has decided six cases related to the issues raised in this action, and this Office believes the decisions affect the present action materially. Plaintiff's counsel has graciously consented to allow us an additional week to respond to the complaint so that defendants can evaluate fully the decisions from the highest New York State Court. Accordingly, we respectfully request until May 8, 2008 to answer, move, or otherwise respond to the complaint.

Respectfully submitted,


Michael J. Keane
Assistant Attorney General

So Ordered.

Keane
5/5/08

cc: Robert T. Perry, Esq. / 350 Broadway / Suite 1207 / New York, NY 10013 / 212-219-9410